

FILED

JUN 05 2023

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at KNOXVILLE

Clerk, U. S. District Court
Eastern District of Tennessee
At Knoxville

IN THE MATTER OF THE SEARCH OF:
A USPS Priority Mail Package,
more fully described in ATTACHMENT A

) 3:23-MJ- 2118
)
)

AFFIDAVIT

I, April Farmer, being duly sworn, hereby depose and say:

1. I am a Task Force Officer with the United States Postal Inspection Service. I am further employed as a Narcotics Investigator with the Loudon Police Department since 2003. I have also been assigned as a Task Force Officer to the 9th Judicial Drug Task Force in the Eastern District of Tennessee since 2015. Currently, I am responsible for investigating crimes involving the United States Postal Service ("USPS"), specifically those involving the use of the United States Postal Service to facilitate the transport of illegal narcotics.

2. This affidavit is in support of an application to search Priority Mail parcel for evidence of federal offenses, including the conspiracy to possess with the intent to distribute narcotics, and the possession with the intent to distribute narcotics, in violation of Title 21 U.S.C. §§ 841(a)(1) and 846 and Title 18 U.S.C. 1956(h), and Title 18 U.S.C. 1342. As such, I am seeking to search the United States Postal Service ("USPS") Priority Mail parcel containing the following tracking label # 9505 5159 2212 3151 5282 18 (hereinafter "TARGET PARCEL"). This parcel is more fully described in Attachment A.

3. I am a Law Enforcement Officer under the authority of Title 18, United States Code, Section 3061. As such, I am authorized to make arrests with or without warrants for offenses made in my presence or when I have reasonable grounds to believe the person has committed or is

committing a felony against the United States. I am also authorized under this statute to carry firearms and make seizures of property as provided by law.

4. Through my training and experience, I am aware that drug traffickers use the United States Postal Service's Express and Priority Mail, along with FedEx, United Parcel Service, and other mailing/shipping companies to ship controlled substances, and/or the proceeds from the sales of controlled substances. This is done in part, because of the speed and reliability, as well as the ability to track the status of the delivery remotely.

5. I am familiar with the ways in which drug traffickers conduct their business, including but not limited to, the methods used to package, wrap, seal and otherwise disguise or mask the odor of narcotics sent through the mail. I am also aware of the fact that narcotics generally flow from narcotics source areas, where the price of narcotics is low, to narcotics destination areas, where the price of narcotics is high. The Eastern District of Tennessee is generally a narcotics destination area, with narcotics proceeds including cash, being sent back from the Eastern District of Tennessee to narcotics source areas to pay for the narcotics.

6. Packages containing drugs and/or proceeds often have heavily taped seams and/or additional outer packaging and wrapping. These packages in many instances contain a fictitious return address; no return address; an actual return address associated to a vacant lot or house; or a return address that is the same as the addressee address. These packages are also sometimes addressed to or from a Commercial Mail Receiving Agency (i.e., UPS Store and Mailboxes Etc.). This is done in an attempt, to conceal from law enforcement the identity of the person(s) shipping and/or receiving the controlled substances and/or proceeds.

7. Title 21, United States Code, Section 841 makes it an offense for any person to manufacture, distribute, or possess with intent to manufacture or distribute, a controlled substance.

Title 21, United States Code, Section 843(b) makes it an offense for any person knowingly or intentionally to use any communication facility in committing or in causing to facilitate the commission of any act or acts constituting a felony under any provisions of Subchapter I or Subchapter II of the Drug Abuse Prevention and Control Act. Title 21, United States Code, Section 846 makes it an offense to conspire to commit an offense set out in Title 21. Under Title 18 United States Code, Section 1342 makes it illegal to receive mail matter or parcels addressed to fictitious names while carrying on unlawful business. Title 18, United States Code, Section 1956 makes it an offense for any person conduct a financial transaction which involves the proceeds of a specified unlawful activity with the intent to promote the carrying on of the specified unlawful activity or with intent to conceal or disguise the nature, location, the source, the ownership, or the control of the proceeds of the specified unlawful activity.

8. To combat the distribution of illegal narcotics and their proceeds, certain investigative techniques are utilized by Postal Inspectors. What follows is not meant to set forth all exhaustive investigative knowledge of this case or investigative techniques used, but only those facts necessary in order to establish probable cause.

PROBABLE CAUSE

9. The reasons I believe the TARGET PARCEL contains illegal narcotics, or the proceeds obtained from the sale of illegal narcotics include, but are not limited to the following factors:

10. In June 2022, Inspectors received information concerning an active criminal investigation of individuals operating in and around the Knoxville, Tennessee area and that were involved illegally trafficking firearms and narcotics between Tennessee and California via the USPS and other methods. One of the addresses utilized by these individuals was identified by

Inspectors as 316 Barrar Avenue, Knoxville, Tennessee. Inspectors, utilizing postal service databases, began monitoring incoming packages to 316 Barrar Avenue and in December 2022 located a package sent from California. On December 20, 2022, Inspector were granted a search warrant (Case No. 3:22-MJ-1247) for the package. The package addressed to 316 Barrar Avenue contained approximately one thousand one hundred grams of suspected marijuana.

11. On March 30, 2023, Inspectors along with Homeland Security Investigations Agents executed a search warrant at 316 Barrar Avenue. Located inside the residence were numerous pieces of evidence pertaining to previous USPS mailings from California to Knoxville, Tennessee addresses and vice versa. Also located was eighteen pounds of suspected marijuana, one hundred twenty-seven grams of suspected cocaine and numerous firearms. Present at the residence at the time of the warrant execution was Rene Nunez Camacho who was arrested on scene. Inspectors also found evidence that an individual by the name of Luis Plancarte was residing at 316 Barrar Avenue as well but was not on scene when the search warrant was executed. Since execution Inspectors have learned through surveillance techniques that Luis Plancarte is still frequenting the residence at 316 Barrar Avenue. Also, a check of postal service and public service databases show Luis Plancarte to be associated with 316 Barrar Avenue. Plancarte is on the lease for 316 Barrar Avenue and the property owner currently has legal action in progress to evict Plancarte and any other occupants.

12. On June 1, 2023, Inspectors became aware of the TARGET PARCEL by utilizing postal service databases. The TARGET PARCEL was sent from the same area in Santa Rosa, California as previous packages identified and seized in this investigation. Inspectors took possession of the TARGET PARCEL at the Knoxville Processing and Distribution Center located at 1237 E. Weisgarber Road, Knoxville, Tennessee on June 2, 2023.

13. Your Affiant knows based on training and experience, narcotics shipped through the USPS frequently use fictitious names listed as the sender and/or recipients of packages to avoid criminal culpability for the actual sender and intended recipient if the package is intercepted by Law Enforcement.

14. The TARGET PARCEL listed the sender as "Javier Gomez" at "700 Simpsons Pl, Santa Rosa, CA 95401". According to public service databases there is not a Javier Gomez associated with 700 Simpson Place, Santa Rosa, California.

15. The TARGET PARCEL listed "Juan Gomez" as the recipient at "316 Barrar Ave Knoxville, TN 37920". During this investigation Inspectors have not identified anyone named Juan Gomez associated with 316 Barrar Avenue.

16. The TARGET PARCEL is a large brown box from Golden State Storage with heavily taped seams and the postage paid to ship the USPS Priority Package was \$181.10.

17. On June 2, 2023, Inspectors requested assistance from KPD K9 Officer Martin Rice and his K9 partner "Mirko." Officer Rice and "Mirko" performed an inspection of the TARGET PARCEL, which was placed alongside four other similarly shaped and sized packages. "Mirko" did give a positive alert to the presence of the odor of narcotics on the TARGET PARCEL.


18. I have been advised of the qualifications of the K-9 handler and his narcotics detector canine. K-9 "Mirko" is a 5-year-old Dutch Shepherd and is trained to detect the odor of illegal narcotics including but not limited to marijuana, cocaine, heroin, MDMA, fentanyl and methamphetamine. K-9 "Mirko" and Officer Rice have met standards set forth by the International Police Work Dog Association and are certified as a K9 unit by the Knoxville Police Department and recently received certification in May 2023.

19. Based on my training and experience, I know that cash proceeds and/or payments are sent by drug traffickers, the cash often contains the scent of illegal narcotics. I believe this is because drug traffickers that handle narcotics are also handling the cash proceeds, cash proceeds are often packaged in the same residence or area that illegal narcotics are being held or packaged for resale and because cash paid by users of illegal narcotics is handled by the same hands that use illegal narcotics further indicating why drug odors commonly transfer to currency.

20. Based on the facts set forth in this affidavit, I believe there is probable cause to believe that the above-mentioned parcel contains controlled substances, currency, paraphernalia, or other evidence that relates to trafficking of controlled substances, in violation of Title 21 U.S.C. §§ 841(a)(1) and 846 and Title 18 U.S.C. 1956(h), and Title 18 U.S.C. 1342.

21. The TARGET PARCEL has been maintained unopened in my custody pending application for a search warrant in Knoxville, Tennessee.

FURTHER AFFIANT SAYETH NAUGHT.



April Farmer
Task Force Officer
United States Postal Inspection Service

Subscribed and sworn to before me this 2nd day of June 2023.



Jill E. McCook
United States Magistrate Judge

ATTACHMENT A

DESCRIPTION OF THE PROPERTY TO BE SEARCHED

USPS PRIORITY MAIL PARCEL IDENTIFIED BY TRACKING NUMBER:

9505 5159 2212 3151 5282 18



ATTACHMENT B

LIST OF ITEMS AUTHORIZED TO BE SEARCHED FOR AND SEIZED PURSUANT TO SEARCH WARRANT

1. One US Mail Parcel described above including concealment and packaging materials.
2. Other items relative to narcotics trafficking activity, including written instructions, addresses, logs and ledgers.
3. United States currency, precious metals, jewelry, and financial instruments, including, but not limited to, stocks and bonds, notes and other documents showing an accumulation of assets, wealth, or money to the extent that these items are found in such quantity, substance and/or quality as to permit a reasonable inference that such items are proceeds of drug trafficking.
4. Evidence of previous and /or future mailings, including mailing receipts, mailing labels and tracking number labels.
5. Controlled substances, material and paraphernalia for manufacturing, packaging, cutting, weighing, and distributing controlled substances, but not limited to scales, baggies, and packing material.
6. All other material evidence of violations of Title 21 U.S.C. §§ 841(a)(1) and 846 and Title 18 U.S.C. 1956(h), and Title 18 U.S.C. 1342, which include attempt and possession with intent to distribute and distribution of controlled substances and importation of a controlled substance from a foreign country.